

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.13244 of 2006

10.07.2006

Between:

Manthena Rajam Raju

..Petitioner

And

The District Collector, West Godavari at Eluru and others.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO
WRIT PETITION No.13244 of 2006

ORDER:

The petitioner claims to be owner of land admeasuring Acs.4.00 comprised in survey Nos.56/4 and 56/7 situated at Pratallameraka Village, Kalla Mandal, West Godavari District. It is alleged that he is in possession and enjoyment of the same over and above forty years. It is his case that after the visit of the Hon'ble Chief Minister to West Godavari, the officials of the respondents came to his land on 24.06.2006 and took measurements. The petitioner apprehends that without the due process of law, the respondents are proposing to acquire the lands. Therefore, they filed the present Writ Petition seeking a writ of mandamus for declaration.

After getting instructions from the respondents, the learned Assistant Government Pleader for Revenue (General) submits that there is no proposal as on today to take possession or acquire the lands and that the writ petition is filed on mere apprehension. It is no doubt true that until and unless the due process of law is followed, the petitioner cannot be evicted from the land in question. The Writ petition is filed with incorrect factual foundation.

The Writ Petition is accordingly dismissed. No costs.

(V.V.S.RAO, J)

10.07.2006
GJ